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10 **BEFORE THE**
11 **BOARD OF REGISTERED NURSING**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

13 In the Matter of the Petition to Revoke Probation
Against:

Case No. 2006-08

14 **PATRICE ANNE QUINN JOHNSON**
15 16577 Pescado Lane
Huntington Beach, California 92649

**PETITION TO REVOKE
PROBATION**

16 Registered Nurse License No. 513565

17 Respondent.
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19 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

20 **PARTIES**

21 1. Complainant brings this Petition to Revoke Probation solely in her official
22 capacity as the Executive Officer of the Board of Registered Nursing ("Board"), Department of
23 Consumer Affairs.

24 2. On or about August 1, 1995, the Board issued Registered Nurse License
25 Number 513565 to Patrice Anne Quinn Johnson ("Respondent"). The license expires on
26 October 31, 2008, unless renewed.

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1 **Prior Discipline**

2 3. Respondent's application for licensure was initially denied. Respondent
3 requested a hearing and a Statement of Issues was filed. Thereafter, pursuant to the Stipulation,
4 Order and Decision for Statement of Issues Case No. 95-98, Respondent's application for a
5 Registered Nurse license was granted effective August 3, 1995. Respondent's Registered Nurse
6 License was issued, then immediately revoked. The revocation was stayed and Respondent was
7 placed on probation for a period of three (3) years. Respondent's probation was completed July
8 31, 1998.

9 4. In a disciplinary action entitled "In the Matter of the Accusation Against
10 Patrice Anne Quinn Johnson, Case No. 2006-08, the Board issued a decision, pursuant to
11 stipulation, effective July 24, 2006, in which Respondent's Registered Nurse License was
12 revoked. However, the revocation was stayed and Respondent's license was placed on probation
13 for a period of three (3) years with certain terms and conditions. A copy of the Decision and
14 Order is attached as Exhibit "A" and is incorporated by reference. Respondent's license is
15 currently on probation.

16 **JURISDICTION**

17 5. Business and Professions Code ("Code") section 2750 provides, in
18 pertinent part, that the Board may discipline any licensee, including a licensee holding a
19 temporary or an inactive license, for any reason provided in Article 3 (commencing with Code
20 section 2750) of the Nursing Practice Act.

21 6. This Petition to Revoke Probation is brought under the authority of Board
22 Decision No. 2006-08, which provides in pertinent part as follows:

23 **IT IS HEREBY ORDERED** that Registered Nurse License No. 513565,
24 issued to Respondent Patrice Anne Quinn Johnson is revoked. However the
25 revocation is stayed and respondent is placed on probation for three (3) years on
the following terms and conditions:

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27 12. **Violation of Probation.** If Respondent violates the condition of
28 her probation, the Board after giving Respondent notice and the opportunity to be
heard, may set aside the stay order and impose the stayed discipline (revocation)
of Respondent's license.

1 If during the period of probation, an accusation or petition to revoke
2 probation has been filed against Respondent's license or the Attorney General's
3 office has been requested to prepare an accusation or petition to revoke probation
4 against Respondent's license, the probationary period shall automatically be
5 extended and shall not expire until the accusation or petition has been acted upon
6 by the Board.

7 **PETITION TO REVOKE PROBATION**

8 7. Grounds exist for revoking the probation and reimposing the order of
9 revocation of Respondent's Registered Nurse License No. 513565 pursuant to Condition 12 set
10 forth above.

11 8. Respondent has violated the conditions of her probation as set forth in the
12 following paragraphs:

13 **FIRST CAUSE TO REVOKE PROBATION**

14 **(Failure to Comply with the Board's Probation Program)**

15 9. At all times after the effective date of Respondent's probation, Condition 2
16 stated, in pertinent part, that during the period of probation, Respondent shall fully comply with
17 the terms and conditions of her probation.

18 10. Respondent's probation is subject to revocation for failure to comply with
19 Probation Condition 2, referenced above, in that Respondent failed to fully comply with
20 probation terms and conditions 2, 5, 16, 17 and 19.

21 **SECOND CAUSE TO REVOKE PROBATION**

22 **(Failure to Submit Written Reports)**

23 11. At all times after the effective date of Respondent's probation, Condition 5
24 stated:

25 Respondent, during the period of probation, shall submit or cause to be
26 submitted such written reports/declarations and verifications of actions under
27 penalty of perjury, as required by the Board. These reports/declarations shall
28 contain statements relative to Respondent's compliance with all the terms and
conditions of the Board's Probation Program. Respondent shall immediately
execute all release of information forms as may be required by the Board or its
representatives.

Respondent shall provide a copy of this Decision to the nursing regulatory
agency in every state and territory in which she has a registered nurse license.

1 12. Respondent's probation is subject to revocation for failure to comply with
2 Probation Condition 5, referenced above, in that Respondent failed to submit evidence of
3 enrolling in the required Chemical Dependency Treatment program and attending the required
4 on-going counseling.

5 **THIRD CAUSE TO REVOKE PROBATION**

6 **(Failure to Abstain From the Use of Controlled**
7 **Substances and Psychotropic (Mood Altering) Drugs)**

8 13. At all times after the effective date of Respondent's probation, Condition
9 16 stated:

10 Respondent shall completely abstain from the possession, injection or
11 consumption by any route of all controlled substances and all psychotropic (mood
12 altering) drugs, including alcohol, except when the same are ordered by a health
13 care professional legally authorized to do so as part of documented medical
14 treatment. Respondent shall have sent to the Board, in writing and within
fifteen (15) days, by the prescribing health professional, a report identifying the
medication, dosage, the date the medication was prescribed, the Respondent's
prognosis, the date the medication will no longer be required, and the effect on
the recovery plan, if appropriate.

15 Respondent shall identify for the Board a single physician, nurse
16 practitioner or physician assistant who shall be aware of petitioner's history of
17 substance abuse and will coordinate and monitor any prescriptions for Respondent
18 for dangerous drugs, controlled substances or mood-altering drugs. The
19 coordinating physician, nurse practitioner, or physician assistant shall report to the
Board on a quarterly basis Respondent's compliance with this condition. If any
substances considered addictive have been prescribed, the report shall identify a
program for the time limited use of any such substances.

20 The Board may require the single coordinating physician, nurse
21 practitioner, or physician assistant to be a specialist in addictive medicine, or to
consult with a specialist in addictive medicine.

22 14. Respondent's probation is subject to revocation for failure to comply with
23 Probation Condition 16, referenced above, in that Respondent failed to abstain from mood
24 altering substances, including alcohol, as indicated by Respondent's testing positive for narcotic
25 drugs without a prescription on the following dates: January 19, 2007, February 1, 2007,
26 February 13, 2007, March 7, 2007, April 11, 2007, and May 25, 2007.

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1 **FOURTH CAUSE TO REVOKE PROBATION**

2 **(Failure to Submit to Tests and Samples)**

3 15. At all times after the effective date of Respondent's probation, Condition
4 17 stated:

5 Respondent, at her expense, shall participate in a random, biological fluid
6 testing or a drug screening program which the Board approves. The length of
7 time and frequency will be subject to approval by the Board. Respondent is
8 responsible for keeping the Board informed of Respondent's current telephone
9 number at all times. Respondent shall also ensure that messages may be left at the
10 telephone number when she is not available and ensure that reports are submitted
11 directly by the testing agency to the Board, as directed. Any confirmed positive
12 finding shall be reported immediately to the Board by the program and
13 Respondent shall be considered in violation of probation.

14 In addition, Respondent, at any time during the period of probation, shall
15 fully cooperate with the Board or its representatives, and shall, when requested,
16 submit to such tests and samples as the Board or its representatives may require
17 for the detection of alcohol, narcotics, hypnotics, dangerous drugs, or other
18 controlled substances.

19 If Respondent has a positive drug screen for any substance not legally
20 authorized and not reported to the coordinating physician, nurse practitioner or
21 physician assistant, and the Board files a petition to revoke probation or an
22 accusation, the Board may suspend Respondent from practice pending the final
23 decision on the petition to revoke probation or the accusation. This period of
24 suspension will not apply to the reduction of this probationary time period.

25 If Respondent fails to participate in a random, biological fluid testing or
26 drug screening program within the specified time frame, Respondent shall
27 immediately cease practice and shall not resume practice until notified by the
28 Board. After taking into account documented evidence of mitigation, if the Board
files a petition to revoke probation or an accusation, the Board may suspend
Respondent from practice pending the final decision on the petition to revoke
probation or the accusation. This period of suspension will not apply to the
reduction of this probationary time period.

16. Respondent's probation is subject to revocation for failure to comply with
Probation Condition 17, referenced above, in that Respondent failed to comply with the drug
testing program by failing to appear for testing on October 25, 2006, November 8, 2006 and
December 6, 2006.

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1 **FIFTH CAUSE TO REVOKE PROBATION**

2 **(Failure to Participate in Therapy or Counseling Program)**

3 17. At all times after the effective date of Respondent's probation, Condition
4 19 stated:

5 Respondent, at her expense, shall participate in an on-going counseling
6 program until such time as the Board releases her from this requirement and only
7 upon the recommendation of the counselor. Written progress reports from the
8 counselor will be required at various intervals.

9 18. Respondent's probation is subject to revocation for failure to comply with
10 Probation Condition 19, referenced above, in that Respondent failed to comply with the on-going
11 therapy as recommended by the Mental Health Examiner. The on-going treatment form was due
12 on May 1, 2007 and was not received.

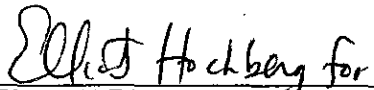
13 **PRAYER**

14 **WHEREFORE**, Complainant requests that a hearing be held on the matters
15 herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

16 1. Revoking the probation that was granted by the Board of Registered
17 Nursing in Case No. 2006-08 and imposing the disciplinary order that was stayed thereby
18 revoking Registered Nurse License No. 513565 issued to Patrice Anne Quinn Johnson; and

19 2. Taking such other and further action as deemed necessary and proper.

20 DATED: 8/27/07

21 
22 RUTH ANN TERRY, M.P.H., R.N.
23 Executive Officer
24 Board of Registered Nursing
25 Department of Consumer Affairs
26 State of California
27 Complainant

**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

PATRICE ANNE QUINN JOHNSON
aka Patrice Anne Quinn
16577 Pescado Lane
Huntington Beach, CA 92649

Registered Nurse License No. 513565

Respondent.

Case No. 2006-08

OAH No. 2006020135

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, as its Decision in this matter.

This Decision shall become effective on July 24, 2006.

It is so ORDERED June 22, 2006.

LaTranene W Tate

FOR THE BOARD OF REGISTERED NURSING

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of the State of California
2 RITA M. LANE, State Bar No. 171352
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8 Attorneys for Complainant

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10 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2006-08

13 PATRICE ANNE QUINN JOHNSON
aka Patrice Anne Quinn
14 16577 Pescado Lane
Huntington Beach, CA 92649
15

OAH No. 2006020135

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

16 Registered Nurse License No. 513565

17 Respondent.
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19 *In the interest of a prompt and speedy settlement of this matter, consistent with the*
20 *public interest and the responsibility of the Board of Registered Nursing, the parties hereby agree*
21 *to the following Stipulated Settlement and Disciplinary Order which will be submitted to the*
22 *Board for approval and adoption as the final disposition of the Accusation.*

23 PARTIES

24 1. Ruth Ann Terry, M.P.H., R.N., (Complainant) is the Executive Officer of
25 the Board of Registered Nursing (Board). Complainant brought this action solely in her official
26 capacity and is represented in this matter by Bill Lockyer, Attorney General of the State of
27 California, and by Rita M. Lane, Deputy Attorney General.

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2. Respondent Patrice Anne Quinn Johnson (Respondent) is represented in this proceeding by attorney Fredrick M. Ray, whose address is 770 The City Drive, Suite 8100, Orange, CA 92868.

3. On or about August 1, 1995, the Board of Registered Nursing issued Registered Nurse License No. 513565 to Respondent. The license was in full force and effect at all times relevant to the charges brought in Accusation No. 2006-08, and will expire on October 31, 2006, unless renewed.

JURISDICTION

4. Accusation No. 2006-08 was filed before the Board on November 22, 2005, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on November 28, 2005. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2006-08 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 2006-08. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation in
3 Accusation No. 2006-08.

4 9. Respondent agrees that her Registered Nurse License is subject to
5 discipline and she agrees to be bound by the Board's imposition of discipline as set forth in the
6 Disciplinary Order below.

7 CONTINGENCY

8 10. This stipulation shall be subject to approval by the Board of Chiropractic
9 Examiners. Respondent understands and agrees that counsel for Complainant and the staff of
10 the Board of Chiropractic Examiners may communicate directly with the Board regarding this
11 stipulation and settlement, without notice to or participation by Respondent or her counsel. By
12 signing the stipulation, Respondent understands and agrees that she may not withdraw her
13 agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon
14 it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement
15 and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be
16 inadmissible in any legal action between the parties, and the Board shall not be disqualified from
17 further action by having considered this matter.

18 11. The parties understand and agree that facsimile copies of this Stipulated
19 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
20 force and effect as the originals.

21 12. In consideration of the foregoing admissions and stipulations, the parties
22 agree that the Board may, without further notice or formal proceeding, issue and enter the
23 following Disciplinary Order:

24 DISCIPLINARY ORDER

25 IT IS HEREBY ORDERED that Registered Nurse License No. 513565 issued to
26 Respondent Patrice Anne Quinn Johnson is revoked. However, the revocation is stayed and
27 Respondent is placed on probation for three (3) years on the following terms and conditions.

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1 **Severability Clause.** Each condition of probation contained herein is a separate
2 and distinct condition. If any condition of this Order, or any application thereof, is declared
3 unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other
4 applications thereof, shall not be affected. Each condition of this Order shall separately be valid
5 and enforceable to the fullest extent permitted by law.

6 1. **Obey All Laws.** Respondent shall obey all federal, state and local laws.
7 A full and detailed account of any and all violations of law shall be reported by Respondent to
8 the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of
9 compliance with this condition, Respondent shall submit completed fingerprint forms and
10 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted
11 as part of the licensure application process.

12 **Criminal Court Orders:** If Respondent is under criminal court orders, including
13 probation or parole, and the order is violated, this shall be deemed a violation of these probation
14 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

15 2. **Comply with the Board's Probation Program.** Respondent shall fully
16 comply with the conditions of the Probation Program established by the Board and cooperate
17 with representatives of the Board in its monitoring and investigation of the Respondent's
18 compliance with the Board's Probation Program. Respondent shall inform the Board in writing
19 within no more than 15 days of any address change and shall at all times maintain an active,
20 current license status with the Board, including during any period of suspension.

21 Upon successful completion of probation, Respondent's license shall be fully
22 restored.

23 3. **Report in Person.** Respondent, during the period of probation, shall
24 appear in person at interviews/meetings as directed by the Board or its designated
25 representatives.

26 4. **Residency, Practice, or Licensure Outside of State.** Periods of
27 residency or practice as a registered nurse outside of California shall not apply toward a reduction
28 of this probation time period. Respondent's probation is tolled, if and when she resides outside

1 of California. Respondent must provide written notice to the Board within 15 days of any change
2 of residency or practice outside the state, and within 30 days prior to re-establishing residency or
3 returning to practice in this state.

4 Respondent shall provide a list of all states and territories where she has ever been
5 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further
6 provide information regarding the status of each license and any changes in such license status
7 during the term of probation. Respondent shall inform the Board if she applies for or obtains a
8 new nursing license during the term of probation.

9 **5. Submit Written Reports.** Respondent, during the period of probation,
10 shall submit or cause to be submitted such written reports/declarations and verification of actions
11 under penalty of perjury, as required by the Board. These reports/declarations shall contain
12 statements relative to Respondent's compliance with all the conditions of the Board's Probation
13 Program. Respondent shall immediately execute all release of information forms as may be
14 required by the Board or its representatives.

15 Respondent shall provide a copy of this Decision to the nursing regulatory agency
16 in every state and territory in which she has a registered nurse license.

17 **6. Function as a Registered Nurse.** Respondent, during the period of
18 probation, shall engage in the practice of registered nursing in California for a minimum of 24
19 hours per week for 6 consecutive months or as determined by the Board.

20 For purposes of compliance with the section, "engage in the practice of registered
21 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or
22 work in any non-direct patient care position that requires licensure as a registered nurse.

23 The Board may require that advanced practice nurses engage in advanced practice
24 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the
25 Board.

26 If Respondent has not complied with this condition during the probationary term,
27 and Respondent has presented sufficient documentation of her good faith efforts to comply with
28 this condition, and if no other conditions have been violated, the Board, in its discretion, may

1 grant an extension of Respondent's probation period up to one year without further hearing in
2 order to comply with this condition. During the one year extension, all original conditions of
3 probation shall apply.

4 7. **Employment Approval and Reporting Requirements.** Respondent
5 shall obtain prior approval from the Board before commencing or continuing any employment,
6 paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
7 performance evaluations and other employment related reports as a registered nurse upon request
8 of the Board.

9 Respondent shall provide a copy of this Decision to her employer and immediate
10 supervisors prior to commencement of any nursing or other health care related employment.

11 In addition to the above, Respondent shall notify the Board in writing within
12 seventy-two (72) hours after she obtains any nursing or other health care related employment.
13 Respondent shall notify the Board in writing within seventy-two (72) hours after she is
14 terminated or separated, regardless of cause, from any nursing, or other health care related
15 employment with a full explanation of the circumstances surrounding the termination or
16 separation.

17 8. **Supervision.** Respondent shall obtain prior approval from the Board
18 regarding Respondent's level of supervision and/or collaboration before commencing or
19 continuing any employment as a registered nurse, or education and training that includes patient
20 care.

21 Respondent shall practice only under the direct supervision of a registered nurse
22 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative
23 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)
24 are approved.

25 Respondent's level of supervision and/or collaboration may include, but is not
26 limited to the following:

27 (a) Maximum - The individual providing supervision and/or collaboration is
28 present in the patient care area or in any other work setting at all times.

1 (b) Moderate - The individual providing supervision and/or collaboration is in
2 the patient care unit or in any other work setting at least half the hours Respondent works.

3 (c) Minimum - The individual providing supervision and/or collaboration has
4 person-to-person communication with Respondent at least twice during each shift worked.

5 (d) Home Health Care - If Respondent is approved to work in the home health
6 care setting, the individual providing supervision and/or collaboration shall have person-to-
7 person communication with Respondent as required by the Board each work day. Respondent
8 shall maintain telephone or other telecommunication contact with the individual providing
9 supervision and/or collaboration as required by the Board during each work day. The individual
10 providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-
11 site visits to patients' homes visited by Respondent with or without Respondent present.

12 9. **Employment Limitations.** Respondent shall not work for a nurse's
13 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a
14 traveling nurse, or for an in-house nursing pool.

15 Respondent shall not work for a licensed home health agency as a visiting nurse
16 unless the registered nursing supervision and other protections for home visits have been
17 approved by the Board. Respondent shall not work in any other registered nursing occupation
18 where home visits are required.

19 Respondent shall not work in any health care setting as a supervisor of registered
20 nurses. The Board may additionally restrict Respondent from supervising licensed vocational
21 nurses and/or unlicensed assistive personnel on a case-by-case basis.

22 Respondent shall not work as a faculty member in an approved school of nursing
23 or as an instructor in a Board approved continuing education program.

24 Respondent shall work only on a regularly assigned, identified and predetermined
25 worksite(s) and shall not work in a float capacity.

26 If Respondent is working or intends to work in excess of 40 hours per week, the
27 Board may request documentation to determine whether there should be restrictions on the hours
28 of work.

1 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall
2 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later
3 than six months prior to the end of her probationary term.

4 Respondent shall obtain prior approval from the Board before enrolling in the
5 course(s). Respondent shall submit to the Board the original transcripts or certificates of
6 completion for the above required course(s). The Board shall return the original documents to
7 Respondent after photocopying them for its records.

8 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with
9 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
10 amount of \$2,500.00. Respondent shall be permitted to pay these costs in a payment plan
11 approved by the Board, with payments to be completed no later than three months prior to the
12 end of the probation term.

13 If Respondent has not complied with this condition during the probationary term,
14 and Respondent has presented sufficient documentation of her good faith efforts to comply with
15 this condition, and if no other conditions have been violated, the Board, in its discretion, may
16 grant an extension of Respondent's probation period up to one year without further hearing in
17 order to comply with this condition. During the one year extension, all original conditions of
18 probation will apply.

19 12. **Violation of Probation.** If Respondent violates the conditions of her
20 probation, the Board after giving Respondent notice and an opportunity to be heard, may set
21 aside the stay order and impose the stayed discipline (revocation) of Respondent's license.

22 If during the period of probation, an accusation or petition to revoke probation has
23 been filed against Respondent's license or the Attorney General's Office has been requested to
24 prepare an accusation or petition to revoke probation against Respondent's license, the
25 probationary period shall automatically be extended and shall not expire until the accusation or
26 petition has been acted upon by the Board.

27 13. **License Surrender.** During Respondent's term of probation, if she ceases
28 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of

1 probation, Respondent may surrender her license to the Board. The Board reserves the right to
2 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to
3 take any other action deemed appropriate and reasonable under the circumstances, without
4 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent
5 will no longer be subject to the conditions of probation.

6 Surrender of Respondent's license shall be considered a disciplinary action and
7 shall become a part of Respondent's license history with the Board. A registered nurse whose
8 license has been surrendered may petition the Board for reinstatement no sooner than the
9 following minimum periods from the effective date of the disciplinary decision:

10 (1) Two years for reinstatement of a license that was surrendered for any
11 reason other than a mental or physical illness; or

12 (2) One year for a license surrendered for a mental or physical illness.

13 14. **Physical Examination.** Within 45 days of the effective date of this
14 Decision, Respondent, at her expense, shall have a licensed physician, nurse practitioner, or
15 physician assistant, who is approved by the Board before the assessment is performed, submit an
16 assessment of the Respondent's physical condition and capability to perform the duties of a
17 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If
18 medically determined, a recommended treatment program will be instituted and followed by the
19 Respondent with the physician, nurse practitioner, or physician assistant providing written
20 reports to the Board on forms provided by the Board.

21 If Respondent is determined to be unable to practice safely as a registered nurse,
22 the licensed physician, nurse practitioner, or physician assistant making this determination shall
23 immediately notify the Board and Respondent by telephone, and the Board shall request that the
24 Attorney General's office prepare an accusation or petition to revoke probation. Respondent
25 shall immediately cease practice and shall not resume practice until notified by the Board.
26 During this period of suspension, Respondent shall not engage in any practice for which a license
27 issued by the Board is required until the Board has notified Respondent that a medical

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determination permits Respondent to resume practice. This period of suspension will not apply to the reduction of this probationary time period.

If Respondent fails to have the above assessment submitted to the Board within the 45-day requirement, Respondent shall immediately cease practice and shall not resume practice until notified by the Board. This period of suspension will not apply to the reduction of this probationary time period. The Board may waive or postpone this suspension only if significant, documented evidence of mitigation is provided. Such evidence must establish good faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be provided. Only one such waiver or extension may be permitted.

15. Participate in Treatment/Rehabilitation Program for Chemical Dependence. Respondent, at her expense, shall successfully complete during the probationary period or shall have successfully completed prior to commencement of probation a Board-approved treatment/rehabilitation program of at least six months duration. As required, reports shall be submitted by the program on forms provided by the Board. If Respondent has not completed a Board-approved treatment/rehabilitation program prior to commencement of probation, Respondent, within 45 days from the effective date of the decision, shall be enrolled in a program. If a program is not successfully completed within the first nine months of probation, the Board shall consider Respondent in violation of probation.

Based on Board recommendation, each week Respondent shall be required to attend at least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by the Board. If a nurse support group is not available, an additional 12-step meeting or equivalent shall be added. Respondent shall submit dated and signed documentation confirming such attendance to the Board during the entire period of probation. Respondent shall continue with the recovery plan recommended by the treatment/rehabilitation program or a licensed mental health examiner and/or other ongoing recovery groups.

16. Abstain from Use of Controlled Substances and Psychotropic (Mood-Altering) Drugs. Respondent shall completely abstain from the possession, injection or

1 consumption by any route of all controlled substances and all psychotropic (mood altering)
2 drugs, including alcohol, except when the same are ordered by a health care professional legally
3 authorized to do so as part of documented medical treatment. Respondent shall have sent to the
4 Board, in writing and within fourteen (14) days, by the prescribing health professional, a report
5 identifying the medication, dosage, the date the medication was prescribed, the Respondent's
6 prognosis, the date the medication will no longer be required, and the effect on the recovery plan,
7 if appropriate.

8 Respondent shall identify for the Board a single physician, nurse practitioner or
9 physician assistant who shall be aware of Respondent's history of substance abuse and will
10 coordinate and monitor any prescriptions for Respondent for dangerous drugs, controlled
11 substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician
12 assistant shall report to the Board on a quarterly basis Respondent's compliance with this
13 condition. If any substances considered addictive have been prescribed, the report shall identify a
14 program for the time limited use of any such substances.

15 The Board may require the single coordinating physician, nurse practitioner, or
16 physician assistant to be a specialist in addictive medicine, or to consult with a specialist in
17 addictive medicine.

18 **17. Submit to Tests and Samples.** Respondent, at her expense, shall
19 participate in a random, biological fluid testing or a drug screening program which the Board
20 approves. The length of time and frequency will be subject to approval by the Board.
21 Respondent is responsible for keeping the Board informed of Respondent's current telephone
22 number at all times. Respondent shall also ensure that messages may be left at the telephone
23 number when she is not available and ensure that reports are submitted directly by the testing
24 agency to the Board, as directed. Any confirmed positive finding shall be reported immediately
25 to the Board by the program and Respondent shall be considered in violation of probation.

26 In addition, Respondent, at any time during the period of probation, shall fully
27 cooperate with the Board or any of its representatives, and shall, when requested, submit to such

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1 tests and samples as the Board or its representatives may require for the detection of alcohol,
2 narcotics, hypnotics, dangerous drugs, or other controlled substances.

3 If Respondent has a positive drug screen for any substance not legally authorized
4 and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the
5 Board files a petition to revoke probation or an accusation, the Board may suspend Respondent
6 from practice pending the final decision on the petition to revoke probation or the accusation.
7 This period of suspension will not apply to the reduction of this probationary time period.

8 If Respondent fails to participate in a random, biological fluid testing or drug
9 screening program within the specified time frame, Respondent shall immediately cease practice
10 and shall not resume practice until notified by the Board. After taking into account documented
11 evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the
12 Board may suspend Respondent from practice pending the final decision on the petition to
13 revoke probation or the accusation. This period of suspension will not apply to the reduction of
14 this probationary time period.

15 **18. Mental Health Examination.** Respondent shall, within 45 days of the
16 effective date of this Decision, have a mental health examination including psychological testing
17 as appropriate to determine her capability to perform the duties of a registered nurse. The
18 examination will be performed by a psychiatrist, psychologist or other licensed mental health
19 practitioner approved by the Board. The examining mental health practitioner will submit a
20 written report of that assessment and recommendations to the Board. All costs are the
21 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a
22 result of the mental health examination will be instituted and followed by Respondent.

23 If Respondent is determined to be unable to practice safely as a registered nurse,
24 the licensed mental health care practitioner making this determination shall immediately notify
25 the Board and Respondent by telephone, and the Board shall request that the Attorney General's
26 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease
27 practice and may not resume practice until notified by the Board. During this period of
28 suspension, Respondent shall not engage in any practice for which a license issued by the Board

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1 is required, until the Board has notified Respondent that a mental health determination permits
2 Respondent to resume practice. This period of suspension will not apply to the reduction of this
3 probationary time period.

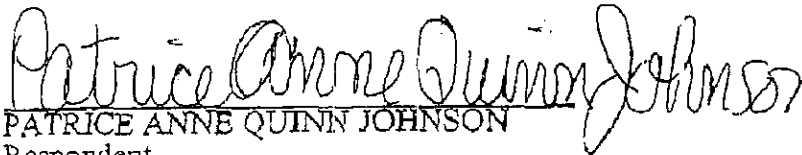
4 If Respondent fails to have the above assessment submitted to the Board within
5 the 45-day requirement, Respondent shall immediately cease practice and shall not resume
6 practice until notified by the Board. This period of suspension will not apply to the reduction of
7 this probationary time period. The Board may waive or postpone this suspension only if
8 significant, documented evidence of mitigation is provided. Such evidence must establish good
9 faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be
10 provided. Only one such waiver or extension may be permitted.

11 19. **Therapy or Counseling Program.** Respondent, at her expense, shall
12 participate in an on-going counseling program until such time as the Board releases her from this
13 requirement and only upon the recommendation of the counselor. Written progress reports from
14 the counselor will be required at various intervals.

15 ACCEPTANCE

16 I have carefully read the above Stipulated Settlement and Disciplinary Order and
17 have fully discussed it with my attorney, Fredrick M. Ray. I understand the stipulation and the
18 effect it will have on my Registered Nurse License. I enter into this Stipulated Settlement and
19 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
20 Decision and Order of the Board of Registered Nursing.

21 DATED: 4/26/06

22 
23 PATRICE ANNE QUINN JOHNSON
24 Respondent
25
26
27
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1 I have read and fully discussed with Respondent Patrice Ann Quinn Johnson the
2 terms and conditions and other matters contained in the above Stipulated Settlement and
3 Disciplinary Order. I approve its form and content.

4 DATED: 4/26/06.


5
6 
7 FREDRICK M. RAY
8 Attorney for Respondent

9 ENDORSEMENT

10 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
11 submitted for consideration by the Board of Registered Nursing.

12 DATED: 4-28-06.

13 BILL LOCKYER, Attorney General
14 of the State of California

15 
16 RITA M. LANE
17 Deputy Attorney General

18 Attorneys for Complainant
19
20

21 DOJ Matter ID: SD2004801536
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Exhibit A

Accusation No. 2006-08

1 BILL LOCKYER, Attorney General
of the State of California
2 MARGARET A. LAFKO, State Bar No. 105921
Supervising Deputy Attorney General
3 California Department of Justice
110 West "A" Street, Suite 1100
4 San Diego, CA 92101

5 P.O. Box 85266
San Diego, CA 92186-5266
6 Telephone: (619) 645-2064
Facsimile: (619) 645-2061

7 Attorneys for Complainant
8

9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2006-80

13 **PATRICE ANNE QUINN JOHNSON**
16577 Pescado Lane
14 Huntington Beach, California 92649

A C C U S A T I O N

15 Registered Nurse License No. 513565

16 Respondent.
17

18 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the
21 Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs.

22 **Registered Nurse License**

23 2. On or about August 1, 1995, the Board of Registered Nursing issued
24 Registered Nurse License Number 513565 ("license") to Patrice Anne Quinn, also known as
25 Patrice Anne Quinn Johnson ("Respondent"). The license was in full force and effect at all times
26 relevant to the charges brought herein and will expire on October 31, 2006, unless renewed.

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1 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
2 and enforcement of the case.

3 **CAUSE FOR DISCIPLINE**

4 **(Use Alcohol and a Dangerous Drug to an Extent**
5 **or in a Manner Dangerous or Injurious to Herself)**

6 9. Respondent has subjected her license to discipline under Code section
7 2761, subdivision (a) on the grounds of unprofessional conduct as defined in Code section 2762,
8 subdivision (b), in that on or about March 25, 2002, Respondent used alcoholic beverages and
9 Clonidine, a dangerous drug, to an extent, or in a manner dangerous or injurious to herself.

10 **OTHER MATTERS**

11 10. Pursuant to the Stipulation, Order and Decision for Statement of Issues
12 Case No. 95-98, Respondent's application for a registered nurse license was granted. The license
13 was issued, then immediately revoked. The revocation was stayed and Respondent was placed
14 on probation for a period of three (3) years with terms and conditions, effective August 3, 1995.
15 The basis for said discipline was that Respondent had been convicted of two crimes involving the
16 use of alcohol.

17 **PRAYER**

18 WHEREFORE, Complainant requests that a hearing be held on the matters herein
19 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

20 1. Revoking or suspending Registered Nurse License Number 513565, issued
21 to Patrice Anne Quinn Johnson;

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2. Ordering Patrice Anne Quinn Johnson to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,

3. Taking such other and further action as deemed necessary and proper.

DATED: 11/22/05

Ruth Ann Terry
RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant